

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----	X	
BIZZABO LTD. and BIZZABO, INC.,	:	
	:	NO.
Plaintiffs,	:	
	:	
-against-	:	
	:	
PIXELINE TECHNOLOGIES, INC., also	:	
known as PIXELINE TECHNOLOGIES	:	
LTD., ELAD ROSANSKI, JOHN DOES 1-2,	:	
	:	
Defendants.	:	
-----	X	

**DECLARATION OF DAVID H. KUPFER**  
**CERTIFYING COMPLIANCE WITH LOCAL CIVIL RULE 6.1(D)**

I, David H. Kupfer, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am an attorney associated with Cooley LLP. I am admitted to practice law in the State of New York, and I am a member in good standing of the bar of this Court. I have been retained by Plaintiffs Bizzabo Ltd. and Bizzabo, Inc. (together, “Bizzabo” or “Plaintiffs”) in the above-captioned matter. I make this declaration to certify compliance with Local Civil Rule 6.1(d). I have personal knowledge of the facts stated herein, and if called to testify as a witness, would and could testify competently thereto.

2. No previous application for the relief requested herein, or any similar relief, has been made.

3. Plaintiffs are in the process of personally serving the summons, complaint, and present motion on the Defendants. In the meanwhile, Defendants have been provided actual notice of this action and the pending motion. Specifically, I have sent a copy of all papers filed in this action to outside corporate counsel for Defendant Pixeline Technologies, Inc. by electronic mail in the evening of May 16, 2022.

4. Plaintiffs seek a temporary restraining order and preliminary injunction by order to show cause because they will suffer imminent irreparable harm if interim injunctive relief is not granted.

5. This action seeks to address the theft of highly confidential proprietary information and trade secrets by Bizzabo's former business vendor, Pixeline, as well as the use of that information in efforts by Pixeline to disrupt Bizzabo's business, destroy its reputation and good name, interfere with its customer relationships, and outright steal customers.

6. As explained in more detailed in the attached memorandum of law and supporting declarations, in direct violation of a confidentiality agreement and applicable state and federal law, Rosanski, the CEO of Pixeline, surreptitiously accessed and downloaded hundreds of Bizzabo's documents containing sensitive commercial information, including trade secrets and proprietary information, which the Defendants had no legitimate reason to access. Defendants then contacted Bizzabo customers using the information they had unlawfully accessed in an attempt to secure an unfair competitive advantage over Bizzabo.

7. In the absence of the requested restraint, Bizzabo is likely to suffer imminent irreparable harm.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct. Signed this 16th day of May 2022 in New York, NY.

Dated: May 16, 2022

**COOLEY LLP**

By: /s/ David H. Kupfer

David H. Kupfer (DK8609)  
55 Hudson Yards  
New York, NY 10001-2125  
T: +1 212-479-6530  
F: +1 212-479-6275  
dkupfer@cooley.com

*Attorney for Plaintiffs Bizzabo Ltd. and  
Bizzabo, Inc.*

**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the ECF docket report for this action.

Dated: May 16, 2022

**COOLEY LLP**

By: /s/ David H. Kupfer

David H. Kupfer, Esq. (DK8609)

*Attorney for Plaintiffs Bizzabo Ltd. and  
Bizzabo, Inc.*

269118304